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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/756,828	01/14/2004	Ran Mochary	1273-US	2391
86/087 7590 04/15/2009 Chapin Intellectual Property Law, LLC Westborough Office Park 1700 W. Park Drive, Suite 280 Westborough, MA 01581				
EXAMINER				
OPSASNICK, MICHAEL N				
ART UNIT		PAPER NUMBER		
2626				
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04/15/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/756,828

Applicant(s)

MOCHARY ET AL.

Examiner

MICHAEL N. OPSASNICK

Art Unit

2626

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-21, 23-28, 30-44 and 46-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 1/14/2004 is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.
3. The disclosure is objected to because it contains an embedded hyperlink and/or other form of browser-executable code. Applicant is required to delete the embedded hyperlink and/or other form of browser-executable code. See MPEP § 608.01.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1,3-21,23-28,30-44,46-48 are rejected under 35 U.S.C. 102(b) as being anticipated by Irvin et al (2002/0072917).

As per claim 1, Irvin et al (2002/0072917) teaches: A configurable speech recognizer comprising: a geographic configuration unit to receive roaming indications from a cellular telephone and to process said indications to determine a location associated with said telephone (as calculation the distance between the location of the portable cell and the desired telephone number – [0021]); a recognition manager to select associated search information as a function of said location (as choosing and generating a table storing the tested telephone numbers – pp [0022]); and a speech recognition unit to utilize said selected associated search information when recognizing at least one incoming speech signal, the speech recognition unit utilizing the associated search information as hard constraints (and end of pp [0023], also, the confidence measures are adjusted according to predetermined constraints – the predetermined constraint being the subgrouping of possible names associated with the number location – figs. 4,5,7-9).

As per claims 3,4 Irvin et al (2002/0072917) teaches the recognizer according to claim 2 and wherein said roaming indications comprise an indication of type of operator, wherein said operator type is one of the following: cellular and landline operator (as accessing a directory from a cell phone – page 2, 2nd col, lines 1-18).

As per claim 5, Irvin et al (2002/0072917) teaches the recognizer according to claim 1 and wherein said location is a country (as covering various areas including metropolitan areas – page 3, 1st col., lines 1-21, and country codes – page 1, col. 2, [0017] – see availability of country codes).

As per claim 6, Irvin et al (2002/0072917) teaches the recognizer according to claim 1 and wherein said selector selects said associated search information as a function also of operator identification (as choosing according to local information – page 2, 1st col. lines 1-3).

As per claim 7, Irvin et al (2002/0072917) teaches the recognizer according to claim 1 and wherein said speech recognition unit comprises a speech dialer (as voice application – page 2, col. 1, lines 4-10).

As per claim 8, Irvin et al (2002/0072917) teaches the recognizer according to claim 1 and wherein said speech recognition unit comprises a geographically affected speech recognition unit (as telephone based on distance between the cell unit and the desired phone number – page 2, 2nd col., discussion pertaining to distance D).

As per claim 9, Irvin et al (2002/0072917) teaches the recognizer according to claim 1 and wherein said associated search information comprises a knowledge base and a reference library (as accessing stored information to recognize the request - pp[0019]).

As per claim 10, Irvin et al (2002/0072917) teaches the recognizer according to claim 1 and wherein said associated search information comprises a phone numbering plan (as table phone numbering plan – [0022]).

As per claims 11,12, Irvin et al (2002/0072917) teaches the recognizer according to claim 1 and wherein said associated search information comprises dialect, pronunciation information (as the vocabulary is trained based on location context – pp[0029]).

As per claims 13,14, Irvin et al (2002/0072917) teaches the recognizer according to claim 1 and wherein said speech recognition unit utilizes said associated search information as hard constraints and soft constraints (as allowing for telephone numbers with area codes - page 2, col. 2, lines 1-11; and releasing the requirement – page 3, col. 1 lines 1-10).

Claims 15-21,23-27 are towards a speech dialer which performs steps similar in scope and content to the speech recognizer of claims 1,3-14 and therefore, are rejected under similar rationale as presented against claims 1,3-14 above. Claims 28,30-44,46-48 are speech recognizer method steps that are performed by the speech recognizer of claims 1,3-14, therefore, claims

28,30-44,46-48 are similar in scope and content of claims 1,3-14 and are rejected under similar rationale as presented against claims 1,3-14 above.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 49-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over Irvin (2002/0072917) in view of Schalk et al (6922669).

As per claims 49-52, Irvin teaches the claimed steps of independent claim 1 as noted above. Irvin also teaches the concept of hard constraints, as explained in the rejection of claim 1 above. Irvin, however, does not explicitly teach using the hard constraints for spoken telephone digits, including further limiting the possibility of phone numbers based upon recognized digits, and modifying the expected grammar further based upon recognized digits. Schalk (6922669) does teach further reduction of an N-best list of phone number possibilities based upon the user's recognized speech (abstract and Fig. 1). Therefore, it would have been obvious to one of ordinary skill in the art of speech recognition technology at the time the invention was made to

include in the constrained grammar of Irvin with a speech recognized telephonic number constraint as taught by Schalk because it would advantageously improve upon the overall accuracy of the speech recognized number (Schalk, col. 1 lines 30-60).

Response to Arguments

8. Applicant's arguments filed 12/29/2008 have been fully considered but they are not persuasive. Applicants arguments presented on pages 13-15 of the response pertain to the disclosed aspect of the specification relating to hard and soft constraints for recognizing spoken telephone digits. However, the current claim scope (including claim amendments) of the claims ranging between 1-48 do not specify the tying-into spoken telephone digits and as such, the Irvin reference still applies to these claims. Since claims 49-52 do specify this particular disclosed feature, the Schalk reference is introduced to address these particular claim limitations.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Opsasnick, telephone number (571)272-7623, who is available Tuesday-Thursday, 9am-4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Richmond Dorvil, can be reached at (571)272-7602. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Michael N. Opsasnick/
Primary Examiner, Art Unit 2626
4/11/09